



U.S. Department of Justice

*United States Attorney
Southern District of New York*

86 Chambers Street
New York, New York 10007

April 6, 2021

VIA ECF

Hon. Katherine Polk Failla
United States District Judge
United States District Court
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *Mauvais, et al. v. Wolf, et al.*, No. 20 Civ. 10335 (KPF)

Dear Judge Failla:

This Office represents the government in this action in which the plaintiffs seek an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate their Petition for Alien Relative (Form I-130) and Application to Register Permanent Residence or Adjust Status (Form I-485). On behalf of the government, I write respectfully to request a one-month extension of the government’s time to respond to the complaint (*i.e.*, from April 9, 2021, to May 10, 2021). I also respectfully request that the initial conference presently scheduled for April 20, 2021, be adjourned to a date at least one week after May 10, 2021.

By way of background, USCIS interviewed plaintiffs regarding their Form I-130 and Form I-485 on February 9, 2021. That same day, USCIS approved the Form I-130 but denied the Form I-485. As the adjudications sought in the complaint have been completed, the government is discussing with plaintiffs’ counsel whether the case can now be dismissed. The extension and adjournment are requested so that the parties can continue their discussions in this regard and potentially resolve this matter without further intervention of the Court. This is the second request for an extension and adjournment.¹ Plaintiffs’ counsel consents to these requests.

I thank the Court for its consideration of this letter.

Respectfully submitted,

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cc: Counsel of record (via ECF)

¹ On January 14, 2021, the government requested an extension and adjournment in light of the February 9, 2021 interview. See ECF No. 9. The Court granted the request. See ECF No. 10.

Application GRANTED. The initial pretrial conference scheduled for April 20, 2021 is hereby ADJOURNED to May 18, 2021, at 11:00 a.m. At the appointed time, the parties shall call (888) 363-4749 and enter access code 5123533. Please note, the conference will not be available prior to 11:00 a.m. The parties' joint pre-conference letter and proposed case management plan (see Dkt. #7), shall be due on or by May 13, 2021.

Dated: April 6, 2021 SO ORDERED.
New York, New York



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE